



David A. Marcelino  
Attorney at Law  
625 County Street  
Taunton, MA 02780

John Hansen  
Town Planner  
Town of Seekonk  
100 Peck Street  
Seekonk, MA 02771



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David A. Marcelino  
625 County Street  
Taunton, MA 02780  
P: (508) 821-3500  
F: (508) 821-9099

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John Hansen  
Town Planner  
Town of Seekonk  
100 Peck Street  
Seekonk, MA 02771

RE: Girard Estates

Dear Mr. Hanson:

I have read the Town of Seekonk Subdivision Rules you cited in your recent email. I relied on the Regulations published on the Town of Seekonk website. The Rules from the website provide as follows:

#### 5.3 Contents

The Definitive Plan shall be an original drawing conforming to the rules and regulations of the Registry of Deeds. The plan shall be at a scale of one (1) inch equals forty (40) feet. If multiple sheets are used, they shall be accompanied by an index sheet showing the entire subdivision. The Definitive Plan shall contain the following information:

5.3.19. Major site features, such as the location and outline of all existing buildings, stone walls, rock outcroppings, ridges and cliffs, isolated trees over ten inches (10ö) in diameter, wooded areas and orchards, swamps, wetlands and marshlands, streams and ponds, historic markers, milestones and bridges, any clearly defined trails, locations of known primary groundwater recharge areas, flood zones A & B, and general topography over 25% in slope gradient identified as such.

#### 7.8 Protection of Natural Features

In order to enhance and maintain property values and to protect existing natural characteristics within the subdivision, major site features as identified in the contents of the Definitive Plan and required in Section 5.3.19 above, shall be preserved to the maximum possible extent, and not be removed or damaged except with the express

approval of the Planning Board and/or the Conservation Commission. If it shall be the natural order of things to remove or damage said features in order to provide for the elements of the subdivision, the applicant shall take very means possible to replace and restore the land to its original definition based on reasonable Planning Board and/or Conservation Commission stipulations. Where feasible, the layout of lots and the location of buildings shall be accomplished with due regard driven to preserving the major site features so identified and located in the Definitive Plan.

The Town of Seekonk approved the subdivision plans submitted by Girard Estates that complied with Subdivision Rule 5.3.19. Under Rule 7.8 it appears that the Planning Board and Conservation Commission have enforcement authority (except with the express approval of the Planning Board and/or the Conservation Commission) over the removal of isolated trees over ten inches (10") in diameter. Rule 5.3.19 states that isolated trees are subject to the Rule. Webster's dictionary defined the word isolated as: 1. standing detached from others of like kind; placed by itself. *Webster's New Twentieth Century Dictionary* 794 (2d ed. 1983). We do not believe there is a single tree located in the subdivision that may be considered isolated.

Mr. Girard has no plans to personally removal a single living tree from the subdivision unless he decides to build his own home on one of the remaining lots. The Rules at issue are not applicable to Mr. Girard. They will only be applicable to him if he builds a family home.

It is clear that upon purchase new owners shall be subject to the above referenced Rules. The Town is responsible for assuring that new owners adhere to the Rules once they purchase lots. Accordingly, Girard Estates has no authorization to assure compliance of new owners with Town Regulations.

Yours truly,

David A. Marcelino